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**STATE OF IOWA**  
**BOARD OF EDUCATIONAL EXAMINERS**  
**Grimes State Office Building – 400 East 14<sup>th</sup> Street**  
**Des Moines, Iowa 50319-0147**

**Minutes**

**May 3, 2006**

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1 Robinson – yes; Chen – yes; Wellborn – yes; Aboud – yes; Duehr – yes; Seeland  
2 – yes; Henderson – yes; and Jeffrey – yes. **MOTION CARRIED UNANIMOUSLY.**

3  
4 Ying Ying Chen moved, with a second by Jacqueline Wellborn, that in **case**  
5 **number 05-20**, In the Matter of: Jonnika Danielle Ohrt, the Board initiate  
6 review of the proposed decision to examine a) whether the licensee’s conduct  
7 violated the Board’s rules of sufficient magnitude to justify discipline and or  
8 b) whether the proposed sanction is appropriate in light of the findings. Roll  
9 call vote: Henderson – yes; Seeland – yes; Duehr – yes; Aboud – yes; Wellborn –  
10 yes; Chen – yes; Robinson – yes; and Jeffrey – yes. **MOTION CARRIED**  
11 **UNANIMOUSLY.**

12  
13 Jacqueline Wellborn moved, with a second by Ying Ying Chen, that in **case**  
14 **number 05-22**, In the Matter of: Danielle Michelle Peterson, the Board not  
15 initiate review of the proposed decision and allow the proposed decision to  
16 become the final decision of the Board unless an appeal is taken by one of the  
17 parties within the time allowed by rule. Roll call vote: Robinson – yes; Chen –  
18 yes; Wellborn – yes; Aboud – yes; Duehr – yes; Seeland – yes; Henderson – yes;  
19 and Jeffrey – yes. **MOTION CARRIED UNANIMOUSLY.**

20  
21 Ying Ying Chen moved, with a second by Jacqueline Wellborn, that in **case**  
22 **number 05-37**, James Patera, Superintendent, Oelwein CSD Board of  
23 Education v. Keith Medema, the Board not initiate review of the proposed  
24 decision and allow the proposed decision to become the final decision of the  
25 Board unless an appeal is taken by one of the parties within the time allowed  
26 by rule. Roll call vote: Henderson – yes; Seeland – yes; Duehr – yes; Aboud –  
27 yes; Wellborn – yes; Chen – yes; Robinson – yes; and Jeffrey – yes. **MOTION**  
28 **CARRIED UNANIMOUSLY.**

29  
30 Jacqueline Wellborn moved, with a second by Ying Ying Chen, that in **case**  
31 **number 05-40, 05-41 and 05-42**, the Board find that the evidence gathered in  
32 the investigation, including witness statements and the documentary evidence,  
33 does not corroborate the allegations in the complaint, and that the Board,

1 therefore, lacks probable cause to proceed with this matter. Roll call vote:  
2 Robinson – yes; Chen – yes; Wellborn – yes; Aboud – yes; Duehr – yes; Seeland  
3 – yes; Henderson – yes; and Jeffrey – yes. **MOTION CARRIED UNANIMOUSLY.**

4  
5 Ying Ying Chen moved, with a second by Jacqueline Wellborn, that in case  
6 number 06-04, 06-05 and 06-06, the Board find that the evidence gathered in  
7 the investigation, including witness statements and the documentary evidence,  
8 does not corroborate the allegations in the complaint, and that the Board,  
9 therefore, lacks probable cause to proceed with this matter. Roll call vote:  
10 Henderson – yes; Seeland – yes; Duehr – yes; Aboud – yes; Wellborn – yes; Chen  
11 – yes; Robinson – yes; and Jeffrey – yes. **MOTION CARRIED UNANIMOUSLY.**

12  
13 Greg Robinson moved, with a second by Jeffrey Henderson, to approve the April  
14 7, 2006, minutes, as distributed. **MOTION CARRIED UNANIMOUSLY.**

15  
16 Jeffrey Henderson moved, with a second by John Aboud, to file under Notice of  
17 Intended Action, the proposed changes to the school nurse endorsement rules  
18 in Chapter 14 that would offer a Statement of Professional Recognition (SPR) to  
19 anyone who possesses an R.N. and is licensed by the Iowa Nursing Board.  
20 **MOTION CARRIED UNANIMOUSLY.**

21  
22 Jean Seeland moved, with a second by John Aboud, to table action on the  
23 proposed changes in Chapter 14 that would modify the content endorsements  
24 from K-6 and 7-12 to K-8 and 5-12. **MOTION CARRIED UNANIMOUSLY.**

25  
26 Greg Robinson moved, with a second by John Aboud, to give full approval for  
27 five years to the NWISI Consortium to be a licensure renewal program provider.  
28 **MOTION CARRIED UNANIMOUSLY.**

29  
30 John Aboud moved, with a second by Ying Ying Chen, that in PFW 06-03, the  
31 Board grant the Petition for Waiver. **MOTION DEFEATED ON A VOICE VOTE.**

1                                   **STATE OF IOWA**  
2                                   **BOARD OF EDUCATIONAL EXAMINERS**  
3                           **Grimes State Office Building – 400 East 14<sup>th</sup> Street**  
4                                   **Des Moines, Iowa 50319-0147**

5  
6                                   **Minutes**  
7                                   **May 3, 2006**  
8

9     The Board of Educational Examiners held its monthly meeting on May 3, 2006,  
10    in the Presidential Room of the Maucker Union on the campus of the University  
11    of Northern Iowa (UNI). Board Chair Judy Jeffrey called the meeting to order at  
12    9:02 a.m. Members attending were John Aboud, Ying Ying Chen, Tammy  
13    Duehr, Jeffrey Henderson, Judy Jeffrey, Greg Robinson, Jean Seeland, and  
14    Jacqueline Wellborn. Also in attendance were Dr. George Maurer, Executive  
15    Director of the Board; Barbara Hendrickson, Board Secretary; and other  
16    visitors. William Haigh, Thomas Paulsen and Beverly Smith were unable to  
17    attend the meeting.

18  
19    Jeffrey Henderson moved, with a second by Jean Seeland, that the Board go  
20    into closed session for the purposes of discussing whether to initiate licensee  
21    disciplinary proceedings and discussing the decision to be rendered in a  
22    contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f).

23    **MOTION CARRIED UNANIMOUSLY.**  
24

25    The Board reconvened into open session at 10:19 a.m.  
26

27    Jacqueline Wellborn moved, with a second by Ying Ying Chen, that in **case**  
28    **number 05-39**, In the Matter of: Leland Dirk Ayers, the Board accept the  
29    Respondent's waiver of hearing and voluntary surrender and that the Board  
30    issue an order permanently revoking the Respondent's license with no  
31    possibility of reinstatement. Roll call vote: Robinson – yes; Chen – yes;  
32    Wellborn – yes; Aboud – yes; Duehr – yes; Seeland – yes; Henderson – yes;  
33    and Jeffrey – yes. **MOTION CARRIED UNANIMOUSLY.**

1 Ying Ying Chen moved, with a second by Jacqueline Wellborn, that in **case**  
2 **number 04-21**, In the Matter of: Kevin Benford, the Board accept the  
3 Respondent's waiver of hearing and agreement to accept a lesser sanction and  
4 issue an order imposing the agreed-upon sanction. Roll call vote: Henderson –  
5 yes; Seeland – yes; Duehr – yes; Aboud – yes; Wellborn – yes; Chen – yes;  
6 Robinson – yes; and Jeffrey – yes. **MOTION CARRIED UNANIMOUSLY.**

8 Jacqueline Wellborn moved, with a second by Ying Ying Chen, that in **case**  
9 **number 05-08**, In the Matter of: John Richard Nees, the Board accept the  
10 Respondent's waiver of hearing and agreement to accept a lesser sanction and  
11 issue an order imposing the agreed-upon sanction. Roll call vote: Robinson –  
12 yes; Chen – yes; Wellborn – yes; Aboud – yes; Duehr – yes; Seeland – yes;  
13 Henderson – yes; and Jeffrey – yes. **MOTION CARRIED UNANIMOUSLY.**

15 Ying Ying Chen moved, with a second by Jacqueline Wellborn, that in **case**  
16 **number 05-20**, In the Matter of: Jonnika Danielle Ohrt, the Board initiate  
17 review of the proposed decision to examine a) whether the licensee's conduct  
18 violated the Board's rules of sufficient magnitude to justify discipline and or  
19 b) whether the proposed sanction is appropriate in light of the findings. Roll  
20 call vote: Henderson – yes; Seeland – yes; Duehr – yes; Aboud – yes; Wellborn –  
21 yes; Chen – yes; Robinson – yes; and Jeffrey – yes. **MOTION CARRIED**  
22 **UNANIMOUSLY.**

24 Jacqueline Wellborn moved, with a second by Ying Ying Chen, that in **case**  
25 **number 05-22**, In the Matter of: Danielle Michelle Peterson, the Board not  
26 initiate review of the proposed decision and allow the proposed decision to  
27 become the final decision of the Board unless an appeal is taken by one of the  
28 parties within the time allowed by rule. Roll call vote: Robinson – yes; Chen –  
29 yes; Wellborn – yes; Aboud – yes; Duehr – yes; Seeland – yes; Henderson – yes;  
30 and Jeffrey – yes. **MOTION CARRIED UNANIMOUSLY.**

32 Ying Ying Chen moved, with a second by Jacqueline Wellborn, that in **case**  
33 **number 05-37**, James Patera, Superintendent, Oelwein CSD Board of

1 Education v. Keith Medema, the Board not initiate review of the proposed  
2 decision and allow the proposed decision to become the final decision of the  
3 Board unless an appeal is taken by one of the parties within the time allowed  
4 by rule. Roll call vote: Henderson – yes; Seeland – yes; Duehr – yes; Aboud –  
5 yes; Wellborn – yes; Chen – yes; Robinson – yes; and Jeffrey – yes. **MOTION**  
6 **CARRIED UNANIMOUSLY.**

7  
8 Jacqueline Wellborn moved, with a second by Ying Ying Chen, that in case  
9 number 05-40, 05-41 and 05-42, the Board find that the evidence gathered in  
10 the investigation, including witness statements and the documentary evidence,  
11 does not corroborate the allegations in the complaint, and that the Board,  
12 therefore, lacks probable cause to proceed with this matter. Roll call vote:  
13 Robinson – yes; Chen – yes; Wellborn – yes; Aboud – yes; Duehr – yes; Seeland  
14 – yes; Henderson – yes; and Jeffrey – yes. **MOTION CARRIED UNANIMOUSLY.**

15  
16 Ying Ying Chen moved, with a second by Jacqueline Wellborn, that in case  
17 number 06-04, 06-05 and 06-06, the Board find that the evidence gathered in  
18 the investigation, including witness statements and the documentary evidence,  
19 does not corroborate the allegations in the complaint, and that the Board,  
20 therefore, lacks probable cause to proceed with this matter. Roll call vote:  
21 Henderson – yes; Seeland – yes; Duehr – yes; Aboud – yes; Wellborn – yes; Chen  
22 – yes; Robinson – yes; and Jeffrey – yes. **MOTION CARRIED UNANIMOUSLY.**

23  
24 Greg Robinson moved, with a second by Jeffrey Henderson, to approve the April  
25 7, 2006, minutes, as distributed. **MOTION CARRIED UNANIMOUSLY.**

26  
27 Jean Seeland presented twice to mentoring sessions for beginning teachers.  
28 She continues to be amazed, pleased and encouraged by the number of  
29 participant questions. She welcomes these opportunities. Board Chair Judy  
30 Jeffrey introduced the newest board member, Tammy Duehr, a teacher at  
31 Eisenhower School in Dubuque. She then informed the Board that the  
32 Department of Education (DE) did not receive a federal grant for a growth model  
33 intended to measure student achievement. The reason given is that the state

1 has been deemed out of compliance for determination of “highly qualified”  
2 under the No Child Left Behind (NCLB) Act. Conversation continues on the  
3 issue that requires new elementary teachers to demonstrate their competence  
4 through a state content test. Ms. Jeffrey circulated a handout of what the Iowa  
5 teacher preparation institutions have agreed to do under a common state  
6 assessment. The items are being implemented in the institutions’ student  
7 teaching observations in an effort to meet NCLB provisions. Ms. Jeffrey  
8 mentioned the interim measures currently evident to the DE, while negotiations  
9 continue on resolution of the question of the measure to determine the content  
10 knowledge of new elementary teachers. She also said that other matters of  
11 federal/state relations may be seriously affected if the parties do not come to  
12 agreement on this part of NCLB. Iowa is otherwise in compliance with every  
13 other issue under the “highly qualified” of Title II Part A. She revealed that,  
14 because of the high bar set by Iowa’s teacher preparation institutions,  
15 approximately 60 out of 100 students who wish to become teachers actually  
16 make it.

17  
18 Board Chair Judy Jeffrey asked if there were any public comments. There were  
19 none.

20  
21 Executive Director Dr. George Maurer reported on a number of issues:

- 22 1) He reviewed the April monthly financial report.
- 23 2) In a legislative update, House File 2623 changed the configuration of the  
24 Board (effective May 2007), allocated 75% plus unlimited carryover of fees,  
25 and inaugurated a modified background check on licensure renewals.
- 26 3) Three weeks ago a review by the FBI recommended updates to some office  
27 procedures with respect to the processing of fingerprint cards.
- 28 4) He said updates to the B.L.I.P. database should be in effect by July 1 or  
29 shortly thereafter. Most changes are not significant. Every licensee will be  
30 accessible in the updated system, however, and individuals can access their  
31 own records with the last four digits of their social security number and  
32 their birth date.



1 5) He mentioned that Board members may be provided with computers so that  
2 board meeting materials will be all electronic. The Board agreed to have Dr.  
3 Maurer pursue the objective and its implications.

4 6) He updated the Board on retreat plans. He and staff will meet into June  
5 with focus groups representative of stakeholders; that portion of the retreat  
6 materials will arrive late. Board members generally wanted feedback as an  
7 executive summary, but John Aboud requested specific data as well. Dr.  
8 Maurer recommended that board members bring their notebook of Iowa  
9 Code 272 and Iowa Administrative Code 282 to the retreat for an update of  
10 materials.

11 7) As a result of the Board's request at the April meeting, Susan Fischer  
12 referred to a handout of samples of submissions to the licensure office of the  
13 types of alternative certification scenarios the staff receives when an out-of-  
14 state applicant desires Iowa licensure. Because of the potential for lengthy  
15 discussion of the scenarios, the Board agreed with Board Chair Judy  
16 Jeffrey's recommendation to defer further consideration to the retreat  
17 agenda.

18  
19 At the March meeting, representatives of the Iowa School Nurse Association  
20 (ISNO) had petitioned the Board to resume the practice of issuing Statements of  
21 Professional Recognition (SPR) to school nurses who meet the minimum  
22 requirements that the organization recommends. The Board now looked at  
23 proposed rules that would offer the SPR to anyone who has completed the  
24 registered nurses examination and is licensed by the Iowa Nursing Board. Past  
25 president Sharon Yearous reminded the Board that the ISNO petition had  
26 stipulated a baccalaureate degree along with an R.N. in nursing, equivalent to a  
27 teacher holding a baccalaureate degree and an SPR. Executive Director Dr.  
28 George Maurer explained the reason for the change as it was now proposed in  
29 rule. Jeffrey Henderson moved, with a second by John Aboud, to file under  
30 Notice of Intended Action, the proposed changes to the school nurse  
31 endorsement rules in Chapter 14 that would offer a Statement of Professional  
32 Recognition (SPR) to anyone who possesses an R.N. and is licensed by the Iowa  
33 Nursing Board. **MOTION CARRIED UNANIMOUSLY.**

1 The Board next considered proposed changes in rules in the content  
2 endorsements from K-6 and 7-12 to K-8 and 5-12, which Administrative  
3 Consultant Susan Fischer had addressed briefly at the April meeting. This  
4 would provide a more accurate description of the authority of licensees to teach  
5 two grades above and two grades below in their endorsement area. Board  
6 Member Jeffrey Henderson raised concern about notice of this rule in light of  
7 discussion earlier in the meeting about potential impact with respect to NCLB.  
8 Jean Seeland moved, with a second by John Aboud, to table action on the  
9 proposed changes in Chapter 14 that would modify the content endorsements  
10 from K-6 and 7-12 to K-8 and 5-12. **MOTION CARRIED UNANIMOUSLY.**

11  
12 Licensure Consultant Geri McMahon presented to the Board a request from the  
13 Northwest Iowa School Improvement (NWISI) Consortium to renew its status as  
14 a licensure renewal program provider. Superintendent Joe Kramer of  
15 Pocahontas Area CSD spoke briefly about the group's accomplishments. He  
16 said plans for the future include collaboration with Prairie Lakes Area  
17 Education Agency (AEA) 8. Last May the Board had given one-year approval to  
18 the consortium's initial application, subject to outlined conditions. Those  
19 conditions have been met. Greg Robinson moved, with a second by John  
20 Aboud, to give full approval for five years to the NWISI Consortium to be a  
21 licensure renewal program provider. **MOTION CARRIED UNANIMOUSLY.**

22  
23 The Board recessed for lunch at 11:43 a.m. and reconvened at 12:10 p.m.

24  
25 Anita Westerhaus and Sue Swartz of Heartland AEA 11 showed the Board a  
26 draft of the online version of the ethics course that they had developed at the  
27 AEA.

28  
29 At 1:12 p.m., after a brief recess, Dr. Jeffrey Cornett, Dean and Director of  
30 Teacher Education at UNI, welcomed board members and staff to campus. He  
31 gave public recognition to Dr. Merrie Schroeder, Associate Director of Teacher  
32 Education, and Dr. Barry Wilson, Director of Assessment, for the great work

1 that they have done. Drs. Wilson and Schroeder gave a presentation on the  
2 College of Education's student assessment system.

3  
4 At the April meeting, the Board had tabled action, pending receipt of additional  
5 information, on JoAnn Fannin's petition to waive the requirement of a  
6 baccalaureate degree to obtain a substitute authorization. Ms. Fannin  
7 subsequently submitted a transcript of her Harvard Divinity School Master's  
8 program and a narrative of her job sequences and the special student status  
9 whereby she was admitted into the Harvard program. John Aboud moved, with  
10 a second by Ying Ying Chen, that **in PFW 06-03**, JoAnn Fannin, the Board  
11 grant the Petition for Waiver. **MOTION DEFEATED ON A VOICE VOTE.**

12  
13 The board packet contained a sheet of proposed meeting dates for calendar  
14 year 2007 through September. Board members will approve meeting dates at  
15 the June meeting.

16  
17 Executive Director Dr. George Maurer said he would send an E-mail to board  
18 members with a summary of legislative action. Committee assignments for  
19 fiscal year 07 will be made at the June Meeting.

20  
21 There being no further business, Board Chair Judy Jeffrey adjourned the  
22 meeting at 2:21 p.m.